

William L. Garrett

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MICHELLE "MICKI" UTSLER, COUNTY RECORDER
MADISON IOWA

Prepared by: Lisa Hynden Jeanes, 18325, 200 West Jefferson, Osceola, Iowa 50213

EASEMENT

This Easement is granted by Donald C. Garrett, single, of Madison County, Iowa ("Grantor") to William L. Garrett, of Madison County, Iowa, ("Grantee").

WITNESSETH

WHEREAS, Grantor owns the following described real estate (hereinafter referred to as "Tract 1"):

Tract 1

Out Lot Three (3) of W. O. Lee's Addition to the Town of Macksburg, Madison County, Iowa.

and

WHEREAS, Grantee owns the following described real estate (hereinafter referred to as "Tract 2"):

Tract 2

Out Lots One (1) and Two (2) of W. O. Lee's Addition to the Town of Macksburg, Madison County, Iowa

WHEREAS, Grantee is desirous of obtaining an access and utility easement through a part of Tract 1 for the use and benefit of Tract 2.

NOW, THEREFORE, in consideration of the mutual benefits enuring to the parties hereto, Grantor hereby grants and conveys a perpetual easement to Grantee and his successors in title to Tract 2, upon the following terms and conditions:

(1) **Description of Easement**

An Easement for Ingress and Egress Purposes Lying Over and Across the East One Half of Lot 3 of W. O. Lee's Addition to the Town of Macksburg, Madison County, Iowa.

(2) Purpose.

The purpose of the Easement is to provide access to Tract 2 for persons and vehicles.

(3) Construction/Maintenance.

A driveway or roadway has already been constructed on the Easement area. The Grantor and Grantee, shall share equally in the maintenance and upkeep of said driveway or roadway.

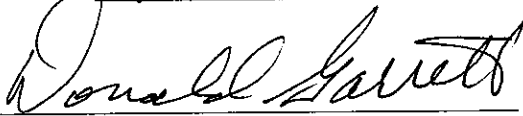
(4) Mutual Use.

Grantors and their successors in title to Tract 1 may also use the Easement area for access.

(5) Successors in Interest.

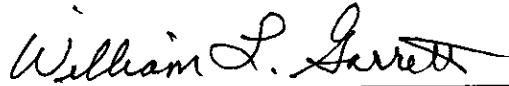
This Easement shall be a covenant running with the land; and shall be binding upon the Grantor and Grantee as well as their successors in title to Tracts 1 and 2.

Dated: May 12, 2004



Donald C. Garrett

Grantor



William L. Garrett

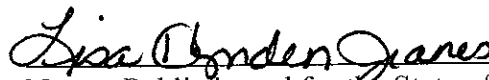
Grantee

STATE OF IOWA)

)ss:

COUNTY OF CLARKE)

On this 12th day of May, 2004, before me the undersigned notary public in and for the State of Iowa, personally appeared Donald C. Garrent and William L. Garrett, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledge that they executed the same as their voluntary act and deed.



Notary Public in and for the State of Iowa

